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ONS VERWYSING / OUR REFERENCE

Herbie Oosthuizen / sb / MJ0290

U VERWYSING / YOUR REFERENCE

DATUM / DATE

16 March 2026

TO: MossRates NPC

Via email: info@mossrates.co.za

## RE: COUNCIL ENGAGEMENT AND PROOF OF ESTABLISHMENT OF MOSSEL BAY RATEPAYERS ASSOCIATION

1. We acknowledge receipt of your correspondence addressed to our client regarding the deputation request submitted by MossRates.
2. At the outset, we record that you have previously been advised that all correspondence relating to this matter must be directed to this office. Notwithstanding this, your most recent communication was again addressed directly to our client. We must therefore reiterate that all further correspondence, requests, or communications relating to this matter are to be directed to our offices and not to our client directly.
3. We have noted the contents of your letter in which MossRates reiterates its request for a deputation before Council in terms of Rule 37 and sets out its position regarding its organisational status and governance structure.
4. In your correspondence you state that MossRates operates with affiliated civic bodies and community groupings across Mossel Bay and that the organisation seeks to address Council in that representative capacity. Where an organisation seeks to make representations to Council on



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behalf of ratepayers or affiliated bodies, our client is entitled to satisfy itself as to the organisational standing and mandate of the entity concerned.

5. We further record that, in our previous correspondence, you were requested to clarify certain apparent discrepancies between the governance documents relied upon by MossRates. In particular, the Memorandum of Incorporation reflects MossRates as a Non-Profit Company without members, whilst the constitution circulated by MossRates makes provision for membership. This issue has to date not been clarified. Our client therefore requires confirmation of the governance structure of MossRates and the basis upon which such membership structures are said to exist in order to properly assess the organisational standing of MossRates.
6. We further note your statement that membership information constitutes private personal data and will not be disclosed. While our client acknowledges the importance of the protection of personal information, the verification of representativity for purposes of engagement with a public authority constitutes a legitimate procedural requirement.
7. Such verification does not require the disclosure of sensitive personal information, but it does require sufficient confirmation of the organisational mandate upon which MossRates relies when asserting that it represents ratepayers or affiliated organisations.
8. In order for the deputation request to be considered in accordance with the applicable municipal framework, our client therefore requires confirmation of the civic bodies, associations or organisations with which MossRates claims affiliation, as well as confirmation of the authority or mandate in terms of which MossRates purports to act on behalf of such bodies. The purpose of this request is to enable our client to verify the organisational standing of MossRates in relation to the deputation sought.

9. We trust that you will provide the requested information at your earliest convenience

Yours truly

**HERBIE OOSTHUIZEN & ASSOCIATES**

Per: Jaco Lamprecht